

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION INJURY  
LITIGATION—SINGLE SPORT/SINGLE  
SCHOOL (FOOTBALL)

MDL No. 2492  
Master Docket No. 16 CV 8727  
  
Judge Manish S. Shah

**ORDER**

At the hearing on December 21, 2023, counsel should be prepared to address the topics identified in this order.

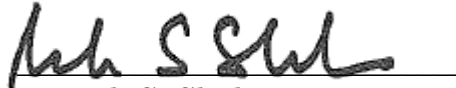
**STATEMENT**

1. The terms of the medical monitoring settlement release and the meaning of the word “claim” in that document.
2. The preclusive effect, if any, of the sample cases.
3. How issue preclusion might apply in the event an issues class is certified but this court does not (or cannot) enter judgment.
4. Whether summary judgment on an issue (without a final judgment) would meaningfully advance the litigation.
5. Plaintiffs’ general causation issue and whether resolution of that issue is necessary to any judgment.
6. Whether any issue on which plaintiffs seek class certification can be resolved for a time period from 1958 to 2010.
7. Is an issues class superior if its superiority depends on the specific answer to the issue?
8. What *Lexecon* issues arise from this court hearing an issues-only trial?
9. Whether the prospect of assisting settlement is a consideration for certifying issues under Rule 23, and whether assisting settlement should be a consideration at all.

10. Discovery and what, if any, fact discovery should be allowed.

ENTER:

Date: December 20, 2023

A handwritten signature in black ink, appearing to read 'Manish S. Shah', is written over a horizontal line.

Manish S. Shah  
U.S. District Judge